

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

GILBERTO PEREIRA BRITO, FLORENTIN AVILA LUCAS, and JACKY CELICOURT, individually and on behalf of all those similarly situated,

Plaintiff-Petitioners,

v.

WILLIAM BARR, et al.,

Defendant-Respondents.

Case No. 19-11314-PBS

STATUS REPORT AND REVISED PROPOSED SCHEDULE

On August 5, 2019, the Court held a hearing on Petitioners' Motion for Class Certification (D.E. 17) and Motion for Entry of Final Judgment (D.E. 52). At the hearing, the Court ordered the government to file its answer within 30 days (*i.e.*, by Sept. 4, 2019). The Court later entered orders certifying classes as to Petitioners' constitutional claims (D.E. 58) and denying the motion for judgment without prejudice (D.E. 62).

On August 6, 2019, petitioners submitted a proposed schedule (D.E. 59). In that submission, Petitioners proposed to file a motion for preliminary injunction on or before Monday, August 12, 2019, and requested an expedited briefing schedule. Petitioners also proposed that, within two weeks after receipt of the government's answer, Petitioners would either move for judgment on the pleadings or submit a further scheduling proposal.

The parties have further conferred regarding the scheduling for this case. The government has agreed to file its answer on or before Friday, August 16, 2019. Petitioners have agreed to defer their motion for preliminary injunction pending receipt of the answer. After the answer is received, petitioners will consider whether to file a motion for judgment (*e.g.*, judgment on the pleadings or summary judgment). Petitioners reserve the right to file a motion for preliminary relief.

Respectfully submitted,

GILBERTO PEREIRA BRITO, FLORENTIN AVILA LUCAS, and JACKY CELICOURT, individually and on behalf of all those similarly situated,

By their attorneys,

/s/ Daniel L. McFadden

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Dated: August 12, 2019

CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2019, the above-captioned document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants.

/s/ Daniel L. McFadden

Daniel L. McFadden